

### **IC 31-34-2.5**

#### **Chapter 2.5. Emergency Custody of Certain Abandoned Children**

### **IC 31-34-2.5-1**

#### **Emergency medical services provider taking custody of child**

Sec. 1. (a) An emergency medical services provider shall, without a court order, take custody of a child who is, or who appears to be, not more than forty-five (45) days of age if:

(1) the child is voluntarily left with the provider by the child's parent; and

(2) the parent does not express an intent to return for the child.

(b) An emergency medical services provider who takes custody of a child under this section shall perform any act necessary to protect the child's physical health or safety.

(c) Any person who in good faith voluntarily leaves a child with an emergency medical services provider is not obligated to disclose the parent's name or their name.

*As added by P.L.133-2000, SEC.3. Amended by P.L.217-2001, SEC.5.*

### **IC 31-34-2.5-2**

#### **Notice to department of child services**

Sec. 2. (a) Immediately after an emergency medical services provider takes custody of a child under section 1 of this chapter, the provider shall notify the department of child services that the provider has taken custody of the child.

(b) The department of child services shall:

(1) assume the care, control, and custody of the child immediately after receiving notice under subsection (a); and

(2) not later than forty-eight (48) hours after the department of child services has taken custody of the child, contact the Indiana clearinghouse for information on missing children established by IC 10-13-5-5 to determine if the child has been reported missing.

*As added by P.L.133-2000, SEC.3. Amended by P.L.217-2001, SEC.6; P.L.2-2003, SEC.76; P.L.234-2005, SEC.169.*

### **IC 31-34-2.5-3**

#### **Treatment as child taken into custody without court order**

Sec. 3. A child for whom the department of child services assumes care, control, and custody under section 2 of this chapter shall be treated as a child taken into custody without a court order, except that efforts to locate the child's parents or reunify the child's family are not necessary, if the court makes a finding to that effect under IC 31-34-21-5.6(b)(5).

*As added by P.L.133-2000, SEC.3. Amended by P.L.234-2005, SEC.170.*

### **IC 31-34-2.5-4**

#### **Duties of attorney for department of child services**

Sec. 4. Whenever a child is taken into custody without a court order under this chapter, the attorney for the department of child services shall, without unnecessary delay, request the juvenile court to:

- (1) authorize the filing of a petition alleging that the child is a child in need of services;
- (2) hold an initial hearing under IC 31-34-10 not later than the next business day after the child is taken into custody; and
- (3) appoint a guardian ad litem or a court appointed special advocate for the child.

*As added by P.L.133-2000, SEC.3. Amended by P.L.129-2005, SEC.5; P.L.234-2005, SEC.171.*